

DECLARATION OF TOBY L. PLEVIN

I, Toby L. Plevin, declare as follows:

1. I am attorney of record for plaintiff in the case captioned Bent Corydon vs Church of Scientology International et. al.

2. As noted by the moving papers, the document which the defendants herein seek to seal herein was filed in this action as an Exhibit to Plaintiff Bent Corydon's Motion for an Order Directing Non-Interference with Witness. That motion was filed on March 19, 1990.

3. Defendants make an attempt to justify their position by stating that the court file in an their lawsuit involving Gerald Armstrong, the signatory to the settlement agreement, was ordered sealed in 1986. However, that decision has no bearing on the present issue particularly since the document in question was never filed in that court file. I state this on personal knowledge since I reviewed that file during the period it was unsealed. Furthermore, counsel for the moving parties admitted that it was never filed in that action during proceedings regarding the unsealing.

4. The moving parties intimate that I and my client were involved in some wrongdoing in obtaining a copy of the document. However, we obtained that agreement because Armstrong filed it, unsealed, on February 20, 1990 in the Court of Appeal in an appeal in which Corydon was a party. A true copy of the Petition to which it was attached and the agreement itself are attached hereto as Exhibit B.

I swear under penalty of perjury under the laws of the State

1 of California that the foregoing is true, this ____ day of ____ ,
2 1991.

3 Toby L. Plevin
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Date DEC.11,1986

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

HONORABLE P G BRECKENRIDGE, JR JUDGE

Deputy Sheriff

R HART

Deputy Clerk

N HARRIS

Reporter

2. S YAKOUBIAN

Court Attendant

(Parties and counsel checked if present)

C420153

GERALD ARMSTRONG,

VS

CHURCH OF SCIENTOLOGY OF
CALIFORNIA,

Counsel for CONTOS & BUNCH

X- Plaintiff BY: JULIA DRAGOJEVIC ✓

MICHAEL FLYNN ✓

Counsel for PETERSON & BRYNAN

X- Defendant BY: JOHN G. PETERSON ✓

MICHAEL HERTZBERG ✓ for M. Hubbard
also appearing, LENSKE, LENSKE &

HELLER BY: LAWRENCE E. HELLER ✓

~~NATURE OF PROCEEDINGS~~**NATURE OF PROCEEDINGS: JOINT EX-PARTE APPLICATION FOR DISMISSAL**

Pursuant to stipulation of the parties, the cross-complaint is dismissed with prejudice.

Further orders are made pursuant to stipulation, including the following: The Court retains jurisdiction to enforce the settlement agreement; all documents surrendered to the court or marked as exhibits shall be returned to the Church of Scientology or its attorneys forthwith except six, 500-CCCC, 500-KKKKK, 500-LLLLL, 500-00000, 500-PPPPP and 500-000000; the entire remaining record of this case, except the "Stipulated Sealing Order" and "Order Dismissing Action With Prejudice" filed this date, are ORDERED SEALED and not to be opened or inspected without prior order of Court.

The following listed documents are filed this date: Joint Stipulation of Dismissal, Order Dismissing Action With Prejudice, Stipulation for Return of Sealed Materials and Exhibits, Order for Return of Exhibits and Sealed Documents, and Stipulated Sealing Order.

EXHIBIT D

(2) DEPT 57

MINUTES ENTERED

12-11-86

COUNTY CLERK